920602-98737

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Timothy John Warner

Serial No.: 10/527,046

Filing Date: March 8, 2005

For: Construction Kit

**RECEIVED** 

MAY 2 4 2006

Customer No.: 23644

OFFICE OF PETITIONS

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Minnie Wilson

## PETITION TO WITHDRAW NOTIFICATION OF ABANDONMENT

Honorable Director of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450 MAY 1 7 2006

MWI I .

Dear Sir:

TECHNOLOGY CENTER R3700

A Notification of abandonment mailed April 26, 2006 has been received. Withdrawal of the notice is requested, since the application is not abandoned.

The Notification states that a Notification of Missing Requirements was allegedly mailed by the Patent and Trademark Office on July 22, 2005. However, no such document was ever received by the undersigned or the firm of the undersigned.

It is assumed that the Notification of Missing Requirements required filing of the Declaration by September 22, 2005 (two months after its filing), although since the Notification has never been received, that is only an assumption. Appended hereto is a copy of the docket entries of the firm of the undersigned showing base dates (PTO action dates) of July 22, 2005. Had the Notification of Missing Requirements been received, it would have been docketed for a response deadline of September 22, 2005. As can be seen, there is no information regarding this application (file number 920602-98737) because the Notification of Missing Requirements were never received. The undersigned can unequivocally confirm lack of receipt.

05/09/2006 AKELECH1 00000008 10527046

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65.00 DP

Required by the Patent and Trademark Office was the Declaration for the application, and that document, as well as the Power of Attorney, is submitted herewith. Also submitted herewith is the fee of \$65.00 for late filing of the Declaration (the applicant is a small entity).

The Notification of Missing Requirements having never been received, and the Declaration being submitted herewith, it is requested that the application be returned to pending status and proceed to examination in due course.

May 4, 2006

Respectfully submitted,

William M. Lee, Jr.

Registration No. 26,935 Barnes & Thornburg LLP

P.O. Box 2786

Chicago IL 60690-2786

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Fax (312) 759-5646



PTO/SB/81 (11-04)
Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/627 OYL				
Filing Date	March 8, 2005				
First Named Inventor	Timothy John Warner				
Title					
Art Unit					
Examiner Name					
Attorney Docket Number	920602-98737				

I hereby revoke a	all previous po	owers of attorney gi	ven in the a	bove-ider	ntified apr	dication		
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Firm or Individual Address  City Country Telephone I am the: X Applicant/Inv Assignee of Statement un  Signature Name Title and Company	entor. record of the entinder 37 CFR 3.7	ire interest. See 37 CFR 3(b) is enclosed. (Form SIGNATURE of GUM)	3.71. PTO/SB/96) Applicant or A	State Fax	v.	Date Telephone	P-3.05	ENTER F37
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This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. PECEIVED

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MAY 2 4 2006

PTO/SB/01 (08-03)

Approved for use through 07/13/2006. OMB 0651-0032 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

	920602-98737	ATTORNEY DOCKET NUMBER	DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION  (37 CFR 1.63)			
	Timothy John Warner	FIRST NAMED INVENTOR:				
	OMPLETE IF KNOWN	· co				
RECEIVED	10/527,046	Application Number	Declaration Submitted After	Submitted OR Su with Initial Ini Filing Fil	Submitted	
MAY 2 4 2006	March 8, 2005	Filing Date	Initial Filing surcharge) (37 CFR .16(e))			
OFFICE OF PETITION		Art Unit '	(37 Of 10.10(e))			
OFFICE OF FEITING	•	Examiner Name	• •			

I HEREBY DECLARE THAT:	A-1 A-1 .						
Each inventor's residence	e, mailing address, and citi	zenship are as stated below i	next to my name.				
I believe the inventor(s) r is sought on the invention	named below to be the origin entitled:	inal and first inventor(s) of the	e subject matter which is cla	imed and for which a patent			
Construction Kit	į.						
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			RE	ECEIVED			
			M	AY 1 7 2006			
		(Title of Invention)					
the specification of which	1'		TECHNO	LOGY CENTER R3700			
is attached hereto							
OR							
⊠was filed on (MM/DD/			n North				
	,		tion Number or PCT Interna	tional			
Application Number PCT/GB2003/003895 amended on (MM/DD/YYYY) (if applicable).							
I hereby state that I have revany amendment specifically	riewed and understand the referred to above.	contents of the above identifi	ied specification, including the	ne claims, as amended by			
I acknowledge the duty to dis	sclose information which is	material to patentability as de	efined in 37 CFR 1.56, inclu	ding for continuation-in-part			
applications, material informational filing date of the	iation which became availat	ble between the filing date of	the prior application and the	national or PCT			
		· .					
I hereby claim foreign prior	rity benefits under 35 U.S.C	C. 119(a)-(d) or (f), or 365(b) or	of any foreign application(s)	for patent, inventor's or			
United States of America.	listed below and have also	CT international application videntified below, by checking	which designated at least on	e country other than the			
United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which							
priority is claimed.			•				
Prior Foreign Application	COUNTRY	Foreign Filing Date	Priority	Certified Copy Attached			
Number(s)		(MM/DD/YYYY)	Not Claimed	YES NO			
PCT/GB2003/003895	International	September 9, 2003					
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☐ Additional fo	oreign application numbers	are listed on a supplemental	priority data sheet PTO/SB	/02B attached hereto.			

[Page 1 of 2]
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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DECLARATION - Utility or Design Patent Application								
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF SOLE OR FIRST	INVENTOR	<del></del>	☐ A petition has be	en filed for th	is unsigned inventor			
Given Name (first and middle [if any] Timothy John Family Name or Surname Warner								
Inventor's Signature	M		<u> </u>	Date:	9.3.05 ×			
Residence: Great Britain	State:	Соц	ıntry: .GB	Citizenship	: Great Britain			
Mailing Address: Riverside House, 1 Michael's Court	-							
City: Scarning	State: Dereham	Zip	NR19 2NL	Country: G	reat Britain			
NAME OF SECOND INVEN	TOR:		☐ A petition has be	en filed for th	is unsigned inventor			
			amily Name Surname 1					
Inventor's Signature			Date:					
Residence:	State:	Cou	intry:	Citizenship				
Mailing Address								
City	State	Zip		Country				
Additional inventors or a legal represe	ntative are being nam	ed on	1 supplemental she	eet(s) PTO/SE	3/02A or 02LR are attached			

[Page 2 of 2]

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